

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
FRANCIS ASSIFUAH,

Plaintiff,

-against-

REUVEN L. COHEN, ESQ.; WILLIAMS COHEN
LLP,

Defendants.

ANALISA TORRES, District Judge:

Plaintiff *pro se*, Francis Asifuah, brings this action against Defendants Reuven L. Cohen and Williams Cohen LLP, alleging state law fraud, breach of fiduciary duty, and malpractice claims, and a claim for civil conspiracy. Am. Compl., ECF No. 33.

On March 16, 2021, Defendants moved to dismiss Plaintiff's amended complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). ECF No. 37. Because the Court finds that Plaintiff has failed to "state a claim to relief that is plausible on its face," *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)), even when the Court construes his submissions "liberally and interprets [them] to raise the strongest arguments they suggest," as the Court must for *pro se* litigants, *Triestman v. Fed. Bur. of Prisons*, 470 F.3d 471, 474 (2d Cir. 2006), Defendants' motion to dismiss is GRANTED. The Court further finds that amendment would be futile, therefore, the Court shall not permit amendment. *Hill v. Curcione*, 657 F.3d 116, 123–24 (2d Cir. 2011). In due course, the Court shall issue a memorandum opinion addressing Defendant's motion.

Additionally, because the Court previously permitted Plaintiff to file these additional documents, *see* ECF No. 46, Plaintiff's motion to file additional evidence at ECF No. 47 is DENIED as moot.

The Clerk of Court is directed to terminate the motions at ECF Nos. 37 and 47, and mail a copy of this order to Plaintiff *pro se*.

SO ORDERED.

Dated: March 31, 2022
New York, New York

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20 Civ. 5050 (AT)

ORDER



ANALISA TORRES
United States District Judge